UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/48/95
4 March 1994

Forty-eighth session
Agenda item 109

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/48/627)]

48/95. Positive and full inclusion of persons with disabilities in all aspects of society and the leadership role of the United Nations therein

The General Assembly,

Mindful of the pledge made by States, under the Charter of the United Nations, to take action jointly and separately, in cooperation with the United Nations, to promote higher standards of living, full employment, and conditions of economic and social progress and development,

Reaffirming the commitment to human rights and fundamental freedoms, social justice and the dignity and worth of the human person proclaimed in the Charter,

Recalling in particular the international standards of human rights laid down in the Universal Declaration of Human Rights, 1/

Underlining that the rights proclaimed in those instruments should be ensured equally to all individuals without discrimination,

Recalling the provisions safeguarding the rights of women with disabilities in the Convention on the Elimination of All Forms of Discrimination against Women, 2/

1/ Resolution 217 A (III).

2/ Resolution 34/180, annex.

Having regard to the Declaration on the Rights of Disabled Persons, 3/ the Declaration on the Rights of Mentally Retarded Persons, 4/ the Declaration on Social Progress and Development, 5/ the Principles for the Protection of Persons with Mental Illness and for the Improvement of Mental Health Care 6/ and other relevant instruments adopted by the General Assembly,

Also having regard to the relevant conventions and recommendations adopted by the International Labour Organisation, with particular reference to participation in employment without discrimination for persons with disabilities,

Mindful of the relevant recommendations and work of the United Nations Educational, Scientific and Cultural Organization, in particular the World Declaration on Education for All, 7/ and of the work of the World Health Organization, the United Nations Children's Fund and other concerned organizations,

Recognizing that the World Programme of Action concerning Disabled Persons, 8/ adopted by the General Assembly by its resolution 37/52 of 3 December 1982, and the definition therein of equalization of opportunities reflect the determination of the international community to ensure that the various international instruments and recommendations will be put to practical, concrete and effective use in improving the quality of life of persons with disabilities and their families and communities,

Acknowledging that the objective of the United Nations Decade of Disabled Persons (1983-1992) to implement the World Programme of Action is still valid and requires urgent and continued action,

Recalling that the World Programme of Action is based on concepts that are equally valid in developed and developing countries,

Convinced that intensified efforts are needed to achieve the full and equal enjoyment of human rights and full participation and inclusion in society of persons with disabilities,

Recognizing that persons with disabilities, their families and representatives and organizations concerned with the needs of persons with

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3/ Resolution 3447 (XXX).

4/ Resolution 2856 (XXVI).

5/ Resolution 2542 (XXIV).

6/ Resolution 46/119, annex.

7/ Final Report of the World Conference on Education for All: Meeting Basic Learning Needs, Jomtien, Thailand, 5-9 March 1990, Inter-Agency Commission (UNDP, UNESCO, UNICEF, World Bank) for the World Conference on Education for All, New York, 1990, appendix 1.

8/ A/37/351/Add.1 and Corr.1, annex, sect. VIII, recommendation 1 (IV).

disabilities must be active partners with States in the planning and implementation of all measures affecting their civil, political, economic, social and cultural rights,

Recalling Economic and Social Council resolution 1990/26 of 24 May 1990, and reaffirming the specific measures required for the attainment of full equality by persons with disabilities, enumerated in detail in the World Programme of Action,

Reaffirming the commitment of the Commission for Social Development to the provisions and rules set out in the ongoing process of elaborating standard rules on the equalization of opportunities for persons with disabilities,

Recognizing the essential role of the United Nations and the Commission for Social Development in providing leadership and positive guidance to encourage worldwide change by equalizing opportunities, promoting independence and ensuring the full inclusion and participation in society of all persons with disabilities,

Seeking to ensure effective implementation of action to promote the full inclusion of persons with disabilities in all aspects of society and to affirm the leadership role of the United Nations in that process,

1. Calls upon the Secretary-General to maintain the integrity and the identity of the United Nations programme on disabled persons, including the United Nations Voluntary Fund on Disability, in order to promote the equalization of opportunities and full inclusion in society of persons with disabilities;

2. Urges the Secretary-General to strengthen, through redeployment of resources, the United Nations programme on disabled persons in order to enable it:

(a) To represent the needs of persons with disabilities and their families and communities throughout the United Nations system;

(b) To ensure effective coordination and streamlining of efforts to respond to the needs of persons with disabilities, through policy formulation, advocacy and liaison, among all bodies within the United Nations system, particularly the International Labour Organisation, the World Health Organization, the United Nations Educational, Scientific and Cultural Organization, the United Nations Development Programme and the United Nations Children's Fund;

(c) To promote equal opportunities and full participation of persons with disabilities and their families and representatives within the United Nations system itself;

(d) In cooperation with Member States, bodies within the United Nations system, non-governmental organizations and other appropriate agencies, to extend technical assistance and disseminate information in order to enhance the capacity of Member States to develop, implement and evaluate their efforts to equalize opportunities and provide for the full inclusion in society of persons with disabilities;

3. Requests the Secretary-General to report biennially to the General Assembly on the progress of efforts to ensure the equalization of opportunities and full inclusion of persons with disabilities in the various bodies of the United Nations system;

4. Also requests the Secretary-General to consider, in view of the importance of ensuring that the needs of persons with disabilities and their families and communities are represented in an equitable manner, strengthening and upgrading the status of the Disabled Persons Unit of the Secretariat through redeployment of resources;

5. Reaffirms that the issues of equalization of opportunities and full inclusion in society for persons with disabilities will be an important part of the preparatory process and the agenda of the World Summit for Social Development to be held at Copenhagen on 11 and 12 March 1995;

6. Welcomes with satisfaction the commitment of the Commission for Social Development to ensuring that the needs of persons with disabilities and their families and communities will continue to be addressed in all of its work.

85th plenary meeting
20 December 1993

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Agenda item 109

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/48/627)]

48/96. Standard Rules on the Equalization of Opportunities for Persons with Disabilities

The General Assembly,

Recalling Economic and Social Council resolution 1990/26 of 24 May 1990, in which the Council authorized the Commission for Social Development to consider, at its thirty-second session, the establishment of an ad hoc open-ended working group of government experts, funded by voluntary contributions, to elaborate standard rules on the equalization of opportunities for disabled children, youth and adults, in close collaboration with the specialized agencies, other intergovernmental bodies and non-governmental organizations, especially organizations of disabled persons, and requested the Commission, should it establish such a working group, to finalize the text of those rules for consideration by the Council in 1993 and for submission to the General Assembly at its forty-eighth session,

Also recalling that in its resolution 32/2 of 20 February 1991 1/ the Commission for Social Development decided to establish an ad hoc open-ended working group of government experts in accordance with Economic and Social Council resolution 1990/26,

Noting with appreciation the participation of many States, specialized agencies, intergovernmental bodies and non-governmental organizations, especially organizations of disabled persons, in the deliberations of the working group,

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1/ See Official Records of the Economic and Social Council, 1991, Supplement No. 6 (E/1991/26), chap. I, sect. D.

Also noting with appreciation the generous financial contributions of Member States to the working group,

Welcoming the fact that the working group was able to fulfil its mandate within three sessions of five working days each,

Acknowledging with appreciation the report of the ad hoc open-ended working group to elaborate standard rules on the equalization of opportunities for persons with disabilities, 2/

Taking note of the discussion in the Commission for Social Development at its thirty-third session 3/ on the draft standard rules contained in the report of the working group,

1. Adopts the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, set forth in the annex to the present resolution;

2. Requests Member States to apply the Rules in developing national disability programmes;

3. Urges Member States to meet the requests of the Special Rapporteur 4/ for information on the implementation of the Rules;

4. Requests the Secretary-General to promote the implementation of the Rules and to report thereon to the General Assembly at its fiftieth session;

5. Urges Member States to support, financially and otherwise, the implementation of the Rules.

85th plenary meeting
20 December 1993

ANNEX

Standard Rules on the Equalization of Opportunities for Persons with Disabilities

INTRODUCTION

Background and current needs
Previous international action
Towards standard rules
Purpose and content of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities
Fundamental concepts in disability policy

2/ E/CN.5/1993/5, annex.

3/ See Official Records of the Economic and Social Council, 1993, Supplement No. 4 (E/1993/24), chap. III, sect. E.

4/ See sect. IV, para. 2, of the annex to the present resolution.

PREAMBLE

I. PRECONDITIONS FOR EQUAL PARTICIPATION

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IV. MONITORING MECHANISM

INTRODUCTION

Background and current needs

1. There are persons with disabilities in all parts of the world and at all levels in every society. The number of persons with disabilities in the world is large and is growing.

2. Both the causes and the consequences of disability vary throughout the world. Those variations are the result of different socio-economic circumstances and of the different provisions that States make for the well-being of their citizens.

3. Present disability policy is the result of developments over the past 200 years. In many ways it reflects the general living conditions and social and economic policies of different times. In the disability field, however, there are also many specific circumstances that have influenced the living conditions of persons with disabilities. Ignorance, neglect, superstition and

fear are social factors that throughout the history of disability have isolated persons with disabilities and delayed their development.

4. Over the years disability policy developed from elementary care at institutions to education for children with disabilities and rehabilitation for persons who became disabled during adult life. Through education and rehabilitation, persons with disabilities became more active and a driving force in the further development of disability policy. Organizations of persons with disabilities, their families and advocates were formed, which advocated better conditions for persons with disabilities. After the Second World War the concepts of integration and normalization were introduced, which reflected a growing awareness of the capabilities of persons with disabilities.

5. Towards the end of the 1960s organizations of persons with disabilities in some countries started to formulate a new concept of disability. That new concept indicated the close connection between the limitation experienced by individuals with disabilities, the design and structure of their environments and the attitude of the general population. At the same time the problems of disability in developing countries were more and more highlighted. In some of those countries the percentage of the population with disabilities was estimated to be very high and, for the most part, persons with disabilities were extremely poor.

Previous international action

6. The rights of persons with disabilities have been the subject of much attention in the United Nations and other international organizations over a long period of time. The most important outcome of the International Year of Disabled Persons, 1981, was the World Programme of Action concerning Disabled Persons, 5/ adopted by the General Assembly by its resolution 37/52 of 3 December 1982. The Year and the World Programme of Action provided a strong impetus for progress in the field. They both emphasized the right of persons with disabilities to the same opportunities as other citizens and to an equal share in the improvements in living conditions resulting from economic and social development. There also, for the first time, handicap was defined as a function of the relationship between persons with disabilities and their environment.

7. The Global Meeting of Experts to Review the Implementation of the World Programme of Action concerning Disabled Persons at the Mid-Point of the United Nations Decade of Disabled Persons was held at Stockholm in 1987. It was suggested at the Meeting that a guiding philosophy should be developed to indicate the priorities for action in the years ahead. The basis of that philosophy should be the recognition of the rights of persons with disabilities.

8. Consequently, the Meeting recommended that the General Assembly convene a special conference to draft an international convention on the elimination

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5/ A/37/351/Add.1 and Corr.1, annex, sect. VIII, recommendation 1 (IV).

of all forms of discrimination against persons with disabilities, to be ratified by States by the end of the Decade.

9. A draft outline of the convention was prepared by Italy and presented to the General Assembly at its forty-second session. Further presentations concerning a draft convention were made by Sweden at the forty-fourth session of the Assembly. However, on both occasions, no consensus could be reached on the suitability of such a convention. In the opinion of many representatives, existing human rights documents seemed to guarantee persons with disabilities the same rights as other persons.

Towards standard rules

10. Guided by the deliberations in the General Assembly, the Economic and Social Council, at its first regular session of 1990, finally agreed to concentrate on the elaboration of an international instrument of a different kind. By its resolution 1990/26 of 24 May 1990, the Council authorized the Commission for Social Development to consider, at its thirty-second session, the establishment of an ad hoc open-ended working group of government experts, funded by voluntary contributions, to elaborate standard rules on the equalization of opportunities for disabled children, youth and adults, in close collaboration with the specialized agencies, other intergovernmental bodies and non-governmental organizations, especially organizations of disabled persons. The Council also requested the Commission to finalize the text of those rules for consideration in 1993 and for submission to the General Assembly at its forty-eighth session.

11. The subsequent discussions in the Third Committee of the General Assembly at the forty-fifth session showed that there was wide support for the new initiative to elaborate standard rules on the equalization of opportunities for persons with disabilities.

12. At the thirty-second session of the Commission for Social Development, the initiative for standard rules received the support of a large number of representatives and discussions led to the adoption of resolution 32/2 of 20 February 1991, in which the Commission decided to establish an ad hoc open-ended working group in accordance with Economic and Social Council resolution 1990/26.

Purpose and content of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities

13. The Standard Rules on the Equalization of Opportunities for Persons with Disabilities have been developed on the basis of the experience gained during the United Nations Decade of Disabled Persons (1983-1992). 6/ The International Bill of Human Rights, comprising the Universal Declaration of Human Rights, 7/ the International Covenant on Economic, Social and Cultural

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6/ Proclaimed by the General Assembly in its resolution 37/53.

7/ Resolution 217 A (III).

Rights 8/ and the International Covenant on Civil and Political Rights, 8/ the Convention on the Rights of the Child 9/ and the Convention on the Elimination of All Forms of Discrimination against Women, 10/ as well as the World Programme of Action concerning Disabled Persons, constitute the political and moral foundation for the Rules.

14. Although the Rules are not compulsory, they can become international customary rules when they are applied by a great number of States with the intention of respecting a rule in international law. They imply a strong moral and political commitment on behalf of States to take action for the equalization of opportunities for persons with disabilities. Important principles for responsibility, action and cooperation are indicated. Areas of decisive importance for the quality of life and for the achievement of full participation and equality are pointed out. The Rules offer an instrument for policy-making and action to persons with disabilities and their organizations. They provide a basis for technical and economic cooperation among States, the United Nations and other international organizations.

15. The purpose of the Rules is to ensure that girls, boys, women and men with disabilities, as members of their societies, may exercise the same rights and obligations as others. In all societies of the world there are still obstacles preventing persons with disabilities from exercising their rights and freedoms and making it difficult for them to participate fully in the activities of their societies. It is the responsibility of States to take appropriate action to remove such obstacles. Persons with disabilities and their organizations should play an active role as partners in this process. The equalization of opportunities for persons with disabilities is an essential contribution in the general and worldwide effort to mobilize human resources. Special attention may need to be directed towards groups such as women, children, the elderly, the poor, migrant workers, persons with dual or multiple disabilities, indigenous people and ethnic minorities. In addition, there are a large number of refugees with disabilities who have special needs requiring attention.

Fundamental concepts in disability policy

16. The concepts set out below appear throughout the Rules. They are essentially built on the concepts in the World Programme of Action concerning Disabled Persons. In some cases they reflect the development that has taken place during the United Nations Decade of Disabled Persons.

Disability and handicap

17. The term "disability" summarizes a great number of different functional limitations occurring in any population in any country of the world. People may be disabled by physical, intellectual or sensory impairment, medical conditions or mental illness. Such impairments, conditions or illnesses may be permanent or transitory in nature.

8/ See resolution 2200 A (XXI), annex.

9/ Resolution 44/25, annex.

10/ Resolution 34/180, annex.

18. The term "handicap" means the loss or limitation of opportunities to take part in the life of the community on an equal level with others. It describes the encounter between the person with a disability and the environment. The purpose of this term is to emphasize the focus on the shortcomings in the environment and in many organized activities in society, for example, information, communication and education, which prevent persons with disabilities from participating on equal terms.

19. The use of the two terms "disability" and "handicap", as defined in paragraphs 17 and 18 above, should be seen in the light of modern disability history. During the 1970s there was a strong reaction among representatives of organizations of persons with disabilities and professionals in the field of disability against the terminology of the time. The terms "disability" and "handicap" were often used in an unclear and confusing way, which gave poor guidance for policy-making and for political action. The terminology reflected a medical and diagnostic approach, which ignored the imperfections and deficiencies of the surrounding society.

20. In 1980, the World Health Organization adopted an international classification of impairments, disabilities and handicaps, which suggested a more precise and at the same time relativistic approach. The International Classification of Impairments, Disabilities, and Handicaps 11/ makes a clear distinction between "impairment", "disability" and "handicap". It has been extensively used in areas such as rehabilitation, education, statistics, policy, legislation, demography, sociology, economics and anthropology. Some users have expressed concern that the Classification, in its definition of the term "handicap", may still be considered too medical and too centred on the individual, and may not adequately clarify the interaction between societal conditions or expectations and the abilities of the individual. Those concerns, and others expressed by users during the 12 years since its publication, will be addressed in forthcoming revisions of the Classification.

21. As a result of experience gained in the implementation of the World Programme of Action and of the general discussion that took place during the United Nations Decade of Disabled Persons, there was a deepening of knowledge and extension of understanding concerning disability issues and the terminology used. Current terminology recognizes the necessity of addressing both the individual needs (such as rehabilitation and technical aids) and the shortcomings of the society (various obstacles for participation).

Prevention

22. The term "prevention" means action aimed at preventing the occurrence of physical, intellectual, psychiatric or sensory impairments (primary prevention) or at preventing impairments from causing a permanent functional limitation or disability (secondary prevention). Prevention may include many different types of action, such as primary health care, prenatal

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11/ World Health Organization, International Classification of Impairments, Disabilities, and Handicaps: A manual of classification relating to the consequences of disease (Geneva, 1980).

and postnatal care, education in nutrition, immunization campaigns against communicable diseases, measures to control endemic diseases, safety regulations, programmes for the prevention of accidents in different environments, including adaptation of workplaces to prevent occupational disabilities and diseases, and prevention of disability resulting from pollution of the environment or armed conflict.

Rehabilitation

23. The term "rehabilitation" refers to a process aimed at enabling persons with disabilities to reach and maintain their optimal physical, sensory, intellectual, psychiatric and/or social functional levels, thus providing them with the tools to change their lives towards a higher level of independence. Rehabilitation may include measures to provide and/or restore functions, or compensate for the loss or absence of a function or for a functional limitation. The rehabilitation process does not involve initial medical care. It includes a wide range of measures and activities from more basic and general rehabilitation to goal-oriented activities, for instance vocational rehabilitation.

Equalization of opportunities

24. The term "equalization of opportunities" means the process through which the various systems of society and the environment, such as services, activities, information and documentation, are made available to all, particularly to persons with disabilities.

25. The principle of equal rights implies that the needs of each and every individual are of equal importance, that those needs must be made the basis for the planning of societies and that all resources must be employed in such a way as to ensure that every individual has equal opportunity for participation.

26. Persons with disabilities are members of society and have the right to remain within their local communities. They should receive the support they need within the ordinary structures of education, health, employment and social services.

27. As persons with disabilities achieve equal rights, they should also have equal obligations. As those rights are being achieved, societies should raise their expectations of persons with disabilities. As part of the process of equal opportunities, provision should be made to assist persons with disabilities to assume their full responsibility as members of society.

PREAMBLE

States,

Mindful of the pledge made, under the Charter of the United Nations, to take joint and separate action in cooperation with the Organization to promote higher standards of living, full employment, and conditions of economic and social progress and development,

Reaffirming the commitment to human rights and fundamental freedoms, social justice and the dignity and worth of the human person proclaimed in the Charter,

Recalling in particular the international standards on human rights, which have been laid down in the Universal Declaration of Human Rights, 7/ the International Covenant on Economic, Social and Cultural Rights 8/ and the International Covenant on Civil and Political Rights, 8/

Underlining that those instruments proclaim that the rights recognized therein should be ensured equally to all individuals without discrimination,

Recalling the Convention on the Rights of the Child, 9/ which prohibits discrimination on the basis of disability and requires special measures to ensure the rights of children with disabilities, and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 12/ which provides for some protective measures against disability,

Recalling also the provisions in the Convention on the Elimination of All Forms of Discrimination against Women 10/ to ensure the rights of girls and women with disabilities,

Having regard to the Declaration on the Rights of Disabled Persons, 13/ the Declaration on the Rights of Mentally Retarded Persons, 14/ the Declaration on Social Progress and Development, 15/ the Principles for the Protection of Persons with Mental Illness and for the Improvement of Mental Health Care 16/ and other relevant instruments adopted by the General Assembly,

Also having regard to the relevant conventions and recommendations adopted by the International Labour Organisation, with particular reference to participation in employment without discrimination for persons with disabilities,

Mindful of the relevant recommendations and work of the United Nations Educational, Scientific and Cultural Organization, in particular the World Declaration on Education for All, 17/ the World Health Organization, the United Nations Children's Fund and other concerned organizations,

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12/ Resolution 45/158, annex.

13/ Resolution 3447 (XXX).

14/ Resolution 2856 (XXVI).

15/ Resolution 2542 (XXIV).

16/ Resolution 46/119, annex.

17/ Final Report of the World Conference on Education for All: Meeting Basic Learning Needs, Jomtien, Thailand, 5-9 March 1990, Inter-Agency Commission (UNDP, UNESCO, UNICEF, World Bank) for the World Conference on Education for All, New York, 1990, appendix 1.

Having regard to the commitment made by States concerning the protection of the environment,

Mindful of the devastation caused by armed conflict and deploring the use of scarce resources in the production of weapons,

Recognizing that the World Programme of Action concerning Disabled Persons and the definition therein of equalization of opportunities represent earnest ambitions on the part of the international community to render those various international instruments and recommendations of practical and concrete significance,

Acknowledging that the objective of the United Nations Decade of Disabled Persons (1983-1992) to implement the World Programme of Action is still valid and requires urgent and continued action,

Recalling that the World Programme of Action is based on concepts that are equally valid in developing and industrialized countries,

Convinced that intensified efforts are needed to achieve the full and equal enjoyment of human rights and participation in society by persons with disabilities,

Re-emphasizing that persons with disabilities, and their parents, guardians, advocates and organizations, must be active partners with States in the planning and implementation of all measures affecting their civil, political, economic, social and cultural rights,

In pursuance of Economic and Social Council resolution 1990/26, and basing themselves on the specific measures required for the attainment by persons with disabilities of equality with others, enumerated in detail in the World Programme of Action,

Have adopted the Standard Rules on the Equalization of Opportunities for Persons with Disabilities outlined below, in order:

(a) To stress that all action in the field of disability presupposes adequate knowledge and experience of the conditions and special needs of persons with disabilities;

(b) To emphasize that the process through which every aspect of societal organization is made accessible to all is a basic objective of socio-economic development;

(c) To outline crucial aspects of social policies in the field of disability, including, as appropriate, the active encouragement of technical and economic cooperation;

(d) To provide models for the political decision-making process required for the attainment of equal opportunities, bearing in mind the widely differing technical and economic levels, the fact that the process must reflect keen understanding of the cultural context within which it takes place and the crucial role of persons with disabilities in it;

(e) To propose national mechanisms for close collaboration among States, the organs of the United Nations system, other intergovernmental bodies and organizations of persons with disabilities;

(f) To propose an effective machinery for monitoring the process by which States seek to attain the equalization of opportunities for persons with disabilities.

I. PRECONDITIONS FOR EQUAL PARTICIPATION

Rule 1. Awareness-raising

States should take action to raise awareness in society about persons with disabilities, their rights, their needs, their potential and their contribution.

1. States should ensure that responsible authorities distribute up-to-date information on available programmes and services to persons with disabilities, their families, professionals in the field and the general public. Information to persons with disabilities should be presented in accessible form.

2. States should initiate and support information campaigns concerning persons with disabilities and disability policies, conveying the message that persons with disabilities are citizens with the same rights and obligations as others, thus justifying measures to remove all obstacles to full participation.

3. States should encourage the portrayal of persons with disabilities by the mass media in a positive way; organizations of persons with disabilities should be consulted on this matter.

4. States should ensure that public education programmes reflect in all their aspects the principle of full participation and equality.

5. States should invite persons with disabilities and their families and organizations to participate in public education programmes concerning disability matters.

6. States should encourage enterprises in the private sector to include disability issues in all aspects of their activity.

7. States should initiate and promote programmes aimed at raising the level of awareness of persons with disabilities concerning their rights and potential. Increased self-reliance and empowerment will assist persons with disabilities to take advantage of the opportunities available to them.

8. Awareness-raising should be an important part of the education of children with disabilities and in rehabilitation programmes. Persons with disabilities could also assist one another in awareness-raising through the activities of their own organizations.

9. Awareness-raising should be part of the education of all children and should be a component of teacher-training courses and training of all professionals.

Rule 2. Medical care

States should ensure the provision of effective medical care to persons with disabilities.

1. States should work towards the provision of programmes run by multidisciplinary teams of professionals for early detection, assessment and treatment of impairment. This could prevent, reduce or eliminate disabling effects. Such programmes should ensure the full participation of persons with disabilities and their families at the individual level, and of organizations of persons with disabilities at the planning and evaluation level.

2. Local community workers should be trained to participate in areas such as early detection of impairments, the provision of primary assistance and referral to appropriate services.

3. States should ensure that persons with disabilities, particularly infants and children, are provided with the same level of medical care within the same system as other members of society.

4. States should ensure that all medical and paramedical personnel are adequately trained and equipped to give medical care to persons with disabilities and that they have access to relevant treatment methods and technology.

5. States should ensure that medical, paramedical and related personnel are adequately trained so that they do not give inappropriate advice to parents, thus restricting options for their children. This training should be an ongoing process and should be based on the latest information available.

6. States should ensure that persons with disabilities are provided with any regular treatment and medicines they may need to preserve or improve their level of functioning.

Rule 3. Rehabilitation*

States should ensure the provision of rehabilitation services to persons with disabilities in order for them to reach and sustain their optimum level of independence and functioning.

1. States should develop national rehabilitation programmes for all groups of persons with disabilities. Such programmes should be based on the actual individual needs of persons with disabilities and on the principles of full participation and equality.

2. Such programmes should include a wide range of activities, such as basic skills training to improve or compensate for an affected function, counselling of persons with disabilities and their families, developing self-reliance, and occasional services such as assessment and guidance.

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* Rehabilitation is a fundamental concept in disability policy and is defined above in paragraph 23 of the introduction.

3. All persons with disabilities, including persons with severe and/or multiple disabilities, who require rehabilitation should have access to it.

4. Persons with disabilities and their families should be able to participate in the design and organization of rehabilitation services concerning themselves.

5. All rehabilitation services should be available in the local community where the person with disabilities lives. However, in some instances, in order to attain a certain training objective, special time-limited rehabilitation courses may be organized, where appropriate, in residential form.

6. Persons with disabilities and their families should be encouraged to involve themselves in rehabilitation, for instance as trained teachers, instructors or counsellors.

7. States should draw upon the expertise of organizations of persons with disabilities when formulating or evaluating rehabilitation programmes.

Rule 4. Support services

States should ensure the development and supply of support services, including assistive devices for persons with disabilities, to assist them to increase their level of independence in their daily living and to exercise their rights.

1. States should ensure the provision of assistive devices and equipment, personal assistance and interpreter services, according to the needs of persons with disabilities, as important measures to achieve the equalization of opportunities.

2. States should support the development, production, distribution and servicing of assistive devices and equipment and the dissemination of knowledge about them.

3. To achieve this, generally available technical know-how should be utilized. In States where high-technology industry is available, it should be fully utilized to improve the standard and effectiveness of assistive devices and equipment. It is important to stimulate the development and production of simple and inexpensive devices, using local material and local production facilities when possible. Persons with disabilities themselves could be involved in the production of those devices.

4. States should recognize that all persons with disabilities who need assistive devices should have access to them as appropriate, including financial accessibility. This may mean that assistive devices and equipment should be provided free of charge or at such a low price that persons with disabilities or their families can afford to buy them.

5. In rehabilitation programmes for the provision of assistive devices and equipment, States should consider the special requirements of girls and boys with disabilities concerning the design, durability and age-appropriateness of assistive devices and equipment.

6. States should support the development and provision of personal assistance programmes and interpretation services, especially for persons with severe and/or multiple disabilities. Such programmes would increase the level of participation of persons with disabilities in everyday life at home, at work, in school and during leisure-time activities.

7. Personal assistance programmes should be designed in such a way that the persons with disabilities using the programmes have a decisive influence on the way in which the programmes are delivered.

II. TARGET AREAS FOR EQUAL PARTICIPATION

Rule 5. Accessibility

States should recognize the overall importance of accessibility in the process of the equalization of opportunities in all spheres of society. For persons with disabilities of any kind, States should (a) introduce programmes of action to make the physical environment accessible; and (b) undertake measures to provide access to information and communication.

(a) Access to the physical environment

1. States should initiate measures to remove the obstacles to participation in the physical environment. Such measures should be to develop standards and guidelines and to consider enacting legislation to ensure accessibility to various areas in society, such as housing, buildings, public transport services and other means of transportation, streets and other outdoor environments.

2. States should ensure that architects, construction engineers and others who are professionally involved in the design and construction of the physical environment have access to adequate information on disability policy and measures to achieve accessibility.

3. Accessibility requirements should be included in the design and construction of the physical environment from the beginning of the designing process.

4. Organizations of persons with disabilities should be consulted when standards and norms for accessibility are being developed. They should also be involved locally from the initial planning stage when public construction projects are being designed, thus ensuring maximum accessibility.

(b) Access to information and communication

5. Persons with disabilities and, where appropriate, their families and advocates should have access to full information on diagnosis, rights and available services and programmes, at all stages. Such information should be presented in forms accessible to persons with disabilities.

6. States should develop strategies to make information services and documentation accessible for different groups of persons with disabilities. Braille, tape services, large print and other appropriate technologies should be used to provide access to written information and documentation for persons with visual impairments. Similarly, appropriate technologies should be used

to provide access to spoken information for persons with auditory impairments or comprehension difficulties.

7. Consideration should be given to the use of sign language in the education of deaf children, in their families and communities. Sign language interpretation services should also be provided to facilitate the communication between deaf persons and others.

8. Consideration should also be given to the needs of people with other communication disabilities.

9. States should encourage the media, especially television, radio and newspapers, to make their services accessible.

10. States should ensure that new computerized information and service systems offered to the general public are either made initially accessible or are adapted to be made accessible to persons with disabilities.

11. Organizations of persons with disabilities should be consulted when measures to make information services accessible are being developed.

Rule 6. Education

States should recognize the principle of equal primary, secondary and tertiary educational opportunities for children, youth and adults with disabilities, in integrated settings. They should ensure that the education of persons with disabilities is an integral part of the educational system.

1. General educational authorities are responsible for the education of persons with disabilities in integrated settings. Education for persons with disabilities should form an integral part of national educational planning, curriculum development and school organization.

2. Education in mainstream schools presupposes the provision of interpreter and other appropriate support services. Adequate accessibility and support services, designed to meet the needs of persons with different disabilities, should be provided.

3. Parent groups and organizations of persons with disabilities should be involved in the education process at all levels.

4. In States where education is compulsory it should be provided to girls and boys with all kinds and all levels of disabilities, including the most severe.

5. Special attention should be given in the following areas:

(a) Very young children with disabilities;

(b) Pre-school children with disabilities;

(c) Adults with disabilities, particularly women.

6. To accommodate educational provisions for persons with disabilities in the mainstream, States should:

(a) Have a clearly stated policy, understood and accepted at the school level and by the wider community;

(b) Allow for curriculum flexibility, addition and adaptation;

(c) Provide for quality materials, ongoing teacher training and support teachers.

7. Integrated education and community-based programmes should be seen as complementary approaches in providing cost-effective education and training for persons with disabilities. National community-based programmes should encourage communities to use and develop their resources to provide local education to persons with disabilities.

8. In situations where the general school system does not yet adequately meet the needs of all persons with disabilities, special education may be considered. It should be aimed at preparing students for education in the general school system. The quality of such education should reflect the same standards and ambitions as general education and should be closely linked to it. At a minimum, students with disabilities should be afforded the same portion of educational resources as students without disabilities. States should aim for the gradual integration of special education services into mainstream education. It is acknowledged that in some instances special education may currently be considered to be the most appropriate form of education for some students with disabilities.

9. Owing to the particular communication needs of deaf and deaf/blind persons, their education may be more suitably provided in schools for such persons or special classes and units in mainstream schools. At the initial stage, in particular, special attention needs to be focused on culturally sensitive instruction that will result in effective communication skills and maximum independence for people who are deaf or deaf/blind.

Rule 7. Employment

States should recognize the principle that persons with disabilities must be empowered to exercise their human rights, particularly in the field of employment. In both rural and urban areas they must have equal opportunities for productive and gainful employment in the labour market.

1. Laws and regulations in the employment field must not discriminate against persons with disabilities and must not raise obstacles to their employment.

2. States should actively support the integration of persons with disabilities into open employment. This active support could occur through a variety of measures, such as vocational training, incentive-oriented quota schemes, reserved or designated employment, loans or grants for small business, exclusive contracts or priority production rights, tax concessions, contract compliance or other technical or financial assistance to enterprises employing workers with disabilities. States should also encourage employers to make reasonable adjustments to accommodate persons with disabilities.

3. States' action programmes should include:

(a) Measures to design and adapt workplaces and work premises in such a way that they become accessible to persons with different disabilities;

(b) Support for the use of new technologies and the development and production of assistive devices, tools and equipment and measures to facilitate access to such devices and equipment for persons with disabilities to enable them to gain and maintain employment;

(c) Provision of appropriate training and placement and ongoing support such as personal assistance and interpreter services.

4. States should initiate and support public awareness-raising campaigns designed to overcome negative attitudes and prejudices concerning workers with disabilities.

5. In their capacity as employers, States should create favourable conditions for the employment of persons with disabilities in the public sector.

6. States, workers' organizations and employers should cooperate to ensure equitable recruitment and promotion policies, employment conditions, rates of pay, measures to improve the work environment in order to prevent injuries and impairments and measures for the rehabilitation of employees who have sustained employment-related injuries.

7. The aim should always be for persons with disabilities to obtain employment in the open labour market. For persons with disabilities whose needs cannot be met in open employment, small units of sheltered or supported employment may be an alternative. It is important that the quality of such programmes be assessed in terms of their relevance and sufficiency in providing opportunities for persons with disabilities to gain employment in the labour market.

8. Measures should be taken to include persons with disabilities in training and employment programmes in the private and informal sectors.

9. States, workers' organizations and employers should cooperate with organizations of persons with disabilities concerning all measures to create training and employment opportunities, including flexible hours, part-time work, job-sharing, self-employment and attendant care for persons with disabilities.

Rule 8. Income maintenance and social security

States are responsible for the provision of social security and income maintenance for persons with disabilities.

1. States should ensure the provision of adequate income support to persons with disabilities who, owing to disability or disability-related factors, have temporarily lost or received a reduction in their income or have been denied employment opportunities. States should ensure that the provision of support takes into account the costs frequently incurred by persons with disabilities and their families as a result of the disability.

2. In countries where social security, social insurance or other social welfare schemes exist or are being developed for the general population, States should ensure that such systems do not exclude or discriminate against persons with disabilities.

3. States should also ensure the provision of income support and social security protection to individuals who undertake the care of a person with a disability.

4. Social security systems should include incentives to restore the income-earning capacity of persons with disabilities. Such systems should provide or contribute to the organization, development and financing of vocational training. They should also assist with placement services.

5. Social security programmes should also provide incentives for persons with disabilities to seek employment in order to establish or re-establish their income-earning capacity.

6. Income support should be maintained as long as the disabling conditions remain in a manner that does not discourage persons with disabilities from seeking employment. It should only be reduced or terminated when persons with disabilities achieve adequate and secure income.

7. States, in countries where social security is to a large extent provided by the private sector, should encourage local communities, welfare organizations and families to develop self-help measures and incentives for employment or employment-related activities for persons with disabilities.

Rule 9. Family life and personal integrity

States should promote the full participation of persons with disabilities in family life. They should promote their right to personal integrity and ensure that laws do not discriminate against persons with disabilities with respect to sexual relationships, marriage and parenthood.

1. Persons with disabilities should be enabled to live with their families. States should encourage the inclusion in family counselling of appropriate modules regarding disability and its effects on family life. Respite-care and attendant-care services should be made available to families which include a person with disabilities. States should remove all unnecessary obstacles to persons who want to foster or adopt a child or adult with disabilities.

2. Persons with disabilities must not be denied the opportunity to experience their sexuality, have sexual relationships and experience parenthood. Taking into account that persons with disabilities may experience difficulties in getting married and setting up a family, States should encourage the availability of appropriate counselling. Persons with disabilities must have the same access as others to family-planning methods, as well as to information in accessible form on the sexual functioning of their bodies.

3. States should promote measures to change negative attitudes towards marriage, sexuality and parenthood of persons with disabilities, especially of girls and women with disabilities, which still prevail in society. The media

should be encouraged to play an important role in removing such negative attitudes.

4. Persons with disabilities and their families need to be fully informed about taking precautions against sexual and other forms of abuse. Persons with disabilities are particularly vulnerable to abuse in the family, community or institutions and need to be educated on how to avoid the occurrence of abuse, recognize when abuse has occurred and report on such acts.

Rule 10. Culture

States will ensure that persons with disabilities are integrated into and can participate in cultural activities on an equal basis.

1. States should ensure that persons with disabilities have the opportunity to utilize their creative, artistic and intellectual potential, not only for their own benefit, but also for the enrichment of their community, be they in urban or rural areas. Examples of such activities are dance, music, literature, theatre, plastic arts, painting and sculpture. Particularly in developing countries, emphasis should be placed on traditional and contemporary art forms, such as puppetry, recitation and story-telling.

2. States should promote the accessibility to and availability of places for cultural performances and services, such as theatres, museums, cinemas and libraries, to persons with disabilities.

3. States should initiate the development and use of special technical arrangements to make literature, films and theatre accessible to persons with disabilities.

Rule 11. Recreation and sports

States will take measures to ensure that persons with disabilities have equal opportunities for recreation and sports.

1. States should initiate measures to make places for recreation and sports, hotels, beaches, sports arenas, gym halls, etc., accessible to persons with disabilities. Such measures should encompass support for staff in recreation and sports programmes, including projects to develop methods of accessibility, and participation, information and training programmes.

2. Tourist authorities, travel agencies, hotels, voluntary organizations and others involved in organizing recreational activities or travel opportunities should offer their services to all, taking into account the special needs of persons with disabilities. Suitable training should be provided to assist that process.

3. Sports organizations should be encouraged to develop opportunities for participation by persons with disabilities in sports activities. In some cases, accessibility measures could be enough to open up opportunities for participation. In other cases, special arrangements or special games would be needed. States should support the participation of persons with disabilities in national and international events.

4. Persons with disabilities participating in sports activities should have access to instruction and training of the same quality as other participants.

5. Organizers of sports and recreation should consult with organizations of persons with disabilities when developing their services for persons with disabilities.

Rule 12. Religion

States will encourage measures for equal participation by persons with disabilities in the religious life of their communities.

1. States should encourage, in consultation with religious authorities, measures to eliminate discrimination and make religious activities accessible to persons with disabilities.

2. States should encourage the distribution of information on disability matters to religious institutions and organizations. States should also encourage religious authorities to include information on disability policies in the training for religious professions, as well as in religious education programmes.

3. They should also encourage the accessibility of religious literature to persons with sensory impairments.

4. States and/or religious organizations should consult with organizations of persons with disabilities when developing measures for equal participation in religious activities.

III. IMPLEMENTATION MEASURES

Rule 13. Information and research

States assume the ultimate responsibility for the collection and dissemination of information on the living conditions of persons with disabilities and promote comprehensive research on all aspects, including obstacles that affect the lives of persons with disabilities.

1. States should, at regular intervals, collect gender-specific statistics and other information concerning the living conditions of persons with disabilities. Such data collection could be conducted in conjunction with national censuses and household surveys and could be undertaken in close collaboration, inter alia, with universities, research institutes and organizations of persons with disabilities. The data collection should include questions on programmes and services and their use.

2. States should consider establishing a data bank on disability, which would include statistics on available services and programmes as well as on the different groups of persons with disabilities. They should bear in mind the need to protect individual privacy and personal integrity.

3. States should initiate and support programmes of research on social, economic and participation issues that affect the lives of persons with disabilities and their families. Such research should include studies on the

causes, types and frequencies of disabilities, the availability and efficacy of existing programmes and the need for development and evaluation of services and support measures.

4. States should develop and adopt terminology and criteria for the conduct of national surveys, in cooperation with organizations of persons with disabilities.

5. States should facilitate the participation of persons with disabilities in data collection and research. To undertake such research States should particularly encourage the recruitment of qualified persons with disabilities.

6. States should support the exchange of research findings and experiences.

7. States should take measures to disseminate information and knowledge on disability to all political and administration levels within national, regional and local spheres.

Rule 14. Policy-making and planning

States will ensure that disability aspects are included in all relevant policy-making and national planning.

1. States should initiate and plan adequate policies for persons with disabilities at the national level, and stimulate and support action at regional and local levels.

2. States should involve organizations of persons with disabilities in all decision-making relating to plans and programmes concerning persons with disabilities or affecting their economic and social status.

3. The needs and concerns of persons with disabilities should be incorporated into general development plans and not be treated separately.

4. The ultimate responsibility of States for the situation of persons with disabilities does not relieve others of their responsibility. Anyone in charge of services, activities or the provision of information in society should be encouraged to accept responsibility for making such programmes available to persons with disabilities.

5. States should facilitate the development by local communities of programmes and measures for persons with disabilities. One way of doing this could be to develop manuals or check-lists and provide training programmes for local staff.

Rule 15. Legislation

States have a responsibility to create the legal bases for measures to achieve the objectives of full participation and equality for persons with disabilities.

1. National legislation, embodying the rights and obligations of citizens, should include the rights and obligations of persons with disabilities. States are under an obligation to enable persons with disabilities to exercise

their rights, including their human, civil and political rights, on an equal basis with other citizens. States must ensure that organizations of persons with disabilities are involved in the development of national legislation concerning the rights of persons with disabilities, as well as in the ongoing evaluation of that legislation.

2. Legislative action may be needed to remove conditions that may adversely affect the lives of persons with disabilities, including harassment and victimization. Any discriminatory provisions against persons with disabilities must be eliminated. National legislation should provide for appropriate sanctions in case of violations of the principles of non-discrimination.

3. National legislation concerning persons with disabilities may appear in two different forms. The rights and obligations may be incorporated in general legislation or contained in special legislation. Special legislation for persons with disabilities may be established in several ways:

(a) By enacting separate legislation, dealing exclusively with disability matters;

(b) By including disability matters within legislation on particular topics;

(c) By mentioning persons with disabilities specifically in the texts that serve to interpret existing legislation.

A combination of those different approaches might be desirable. Affirmative action provisions may also be considered.

4. States may consider establishing formal statutory complaints mechanisms in order to protect the interests of persons with disabilities.

Rule 16. Economic policies

States have the financial responsibility for national programmes and measures to create equal opportunities for persons with disabilities.

1. States should include disability matters in the regular budgets of all national, regional and local government bodies.

2. States, non-governmental organizations and other interested bodies should interact to determine the most effective ways of supporting projects and measures relevant to persons with disabilities.

3. States should consider the use of economic measures (loans, tax exemptions, earmarked grants, special funds, and so on) to stimulate and support equal participation by persons with disabilities in society.

4. In many States it may be advisable to establish a disability development fund, which could support various pilot projects and self-help programmes at the grass-roots level.

Rule 17. Coordination of work

States are responsible for the establishment and strengthening of national coordinating committees, or similar bodies, to serve as a national focal point on disability matters.

1. The national coordinating committee or similar bodies should be permanent and based on legal as well as appropriate administrative regulation.

2. A combination of representatives of private and public organizations is most likely to achieve an intersectoral and multidisciplinary composition. Representatives could be drawn from concerned government ministries, organizations of persons with disabilities and non-governmental organizations.

3. Organizations of persons with disabilities should have considerable influence in the national coordinating committee in order to ensure proper feedback of their concerns.

4. The national coordinating committee should be provided with sufficient autonomy and resources to fulfil its responsibilities in relation to its decision-making capacities. It should report to the highest governmental level.

Rule 18. Organizations of persons with disabilities

States should recognize the right of the organizations of persons with disabilities to represent persons with disabilities at national, regional and local levels. States should also recognize the advisory role of organizations of persons with disabilities in decision-making on disability matters.

1. States should encourage and support economically and in other ways the formation and strengthening of organizations of persons with disabilities, family members and/or advocates. States should recognize that those organizations have a role to play in the development of disability policy.

2. States should establish ongoing communication with organizations of persons with disabilities and ensure their participation in the development of government policies.

3. The role of organizations of persons with disabilities could be to identify needs and priorities, to participate in the planning, implementation and evaluation of services and measures concerning the lives of persons with disabilities, and to contribute to public awareness and to advocate change.

4. As instruments of self-help, organizations of persons with disabilities provide and promote opportunities for the development of skills in various fields, mutual support among members and information sharing.

5. Organizations of persons with disabilities could perform their advisory role in many different ways such as having permanent representation on boards of government-funded agencies, serving on public commissions and providing expert knowledge on different projects.

6. The advisory role of organizations of persons with disabilities should be ongoing in order to develop and deepen the exchange of views and information between the State and the organizations.

7. Organizations should be permanently represented on the national coordinating committee or similar bodies.

8. The role of local organizations of persons with disabilities should be developed and strengthened to ensure that they influence matters at the community level.

Rule 19. Personnel training

States are responsible for ensuring the adequate training of personnel, at all levels, involved in the planning and provision of programmes and services concerning persons with disabilities.

1. States should ensure that all authorities providing services in the disability field give adequate training to their personnel.

2. In the training of professionals in the disability field, as well as in the provision of information on disability in general training programmes, the principle of full participation and equality should be appropriately reflected.

3. States should develop training programmes in consultation with organizations of persons with disabilities, and persons with disabilities should be involved as teachers, instructors or advisers in staff training programmes.

4. The training of community workers is of great strategic importance, particularly in developing countries. It should involve persons with disabilities and include the development of appropriate values, competence and technologies as well as skills which can be practised by persons with disabilities, their parents, families and members of the community.

Rule 20. National monitoring and evaluation of disability programmes in the implementation of the Rules

States are responsible for the continuous monitoring and evaluation of the implementation of national programmes and services concerning the equalization of opportunities for persons with disabilities.

1. States should periodically and systematically evaluate national disability programmes and disseminate both the bases and the results of the evaluations.

2. States should develop and adopt terminology and criteria for the evaluation of disability-related programmes and services.

3. Such criteria and terminology should be developed in close cooperation with organizations of persons with disabilities from the earliest conceptual and planning stages.

4. States should participate in international cooperation in order to develop common standards for national evaluation in the disability field. States should encourage national coordinating committees to participate also.

5. The evaluation of various programmes in the disability field should be built in at the planning stage, so that the overall efficacy in fulfilling their policy objectives can be evaluated.

Rule 21. Technical and economic cooperation

States, both industrialized and developing, have the responsibility to cooperate in and take measures for the improvement of the living conditions of persons with disabilities in developing countries.

1. Measures to achieve the equalization of opportunities of persons with disabilities, including refugees with disabilities, should be integrated into general development programmes.

2. Such measures must be integrated into all forms of technical and economic cooperation, bilateral and multilateral, governmental and non-governmental. States should bring up disability issues in discussions on such cooperation with their counterparts.

3. When planning and reviewing programmes of technical and economic cooperation, special attention should be given to the effects of such programmes on the situation of persons with disabilities. It is of the utmost importance that persons with disabilities and their organizations are consulted on any development projects designed for persons with disabilities. They should be directly involved in the development, implementation and evaluation of such projects.

4. Priority areas for technical and economic cooperation should include:

(a) The development of human resources through the development of skills, abilities and potentials of persons with disabilities and the initiation of employment-generating activities for and of persons with disabilities;

(b) The development and dissemination of appropriate disability-related technologies and know-how.

5. States are also encouraged to support the formation and strengthening of organizations of persons with disabilities.

6. States should take measures to improve the knowledge of disability issues among staff involved at all levels in the administration of technical and economic cooperation programmes.

Rule 22. International cooperation

States will participate actively in international cooperation concerning policies for the equalization of opportunities for persons with disabilities.

1. Within the United Nations, the specialized agencies and other concerned intergovernmental organizations, States should participate in the development of disability policy.

2. Whenever appropriate, States should introduce disability aspects in general negotiations concerning standards, information exchange, development programmes, etc.

3. States should encourage and support the exchange of knowledge and experience among:

(a) Non-governmental organizations concerned with disability issues;

(b) Research institutions and individual researchers involved in disability issues;

(c) Representatives of field programmes and of professional groups in the disability field;

(d) Organizations of persons with disabilities;

(e) National coordinating committees.

4. States should ensure that the United Nations and the specialized agencies, as well as all intergovernmental and interparliamentary bodies, at global and regional levels, include in their work the global and regional organizations of persons with disabilities.

IV. MONITORING MECHANISM

1. The purpose of a monitoring mechanism is to further the effective implementation of the Rules. It will assist each State in assessing its level of implementation of the Rules and in measuring its progress. The monitoring should identify obstacles and suggest suitable measures that would contribute to the successful implementation of the Rules. The monitoring mechanism will recognize the economic, social and cultural features existing in individual States. An important element should also be the provision of advisory services and the exchange of experience and information between States.

2. The Rules shall be monitored within the framework of the sessions of the Commission for Social Development. A Special Rapporteur with relevant and extensive experience in disability issues and international organizations shall be appointed, if necessary, funded by extrabudgetary resources, for three years to monitor the implementation of the Rules.

3. International organizations of persons with disabilities having consultative status with the Economic and Social Council and organizations representing persons with disabilities who have not yet formed their own organizations should be invited to create among themselves a panel of experts, on which organizations of persons with disabilities shall have a majority, taking into account the different kinds of disabilities and necessary equitable geographical distribution, to be consulted by the Special Rapporteur and, when appropriate, by the Secretariat.

4. The panel of experts will be encouraged by the Special Rapporteur to review, advise and provide feedback and suggestions on the promotion, implementation and monitoring of the Rules.

5. The Special Rapporteur shall send a set of questions to States, entities within the United Nations system, and intergovernmental and non-governmental organizations, including organizations of persons with disabilities. The set of questions should address implementation plans for the Rules in States. The questions should be selective in nature and cover a number of specific rules for in-depth evaluation. In preparing the questions the Special Rapporteur should consult with the panel of experts and the Secretariat.

6. The Special Rapporteur shall seek to establish a direct dialogue not only with States but also with local non-governmental organizations, seeking their views and comments on any information intended to be included in the reports. The Special Rapporteur shall provide advisory services on the implementation and monitoring of the Rules and assistance in the preparation of replies to the sets of questions.

7. The Department for Policy Coordination and Sustainable Development of the Secretariat, as the United Nations focal point on disability issues, the United Nations Development Programme and other entities and mechanisms within the United Nations system, such as the regional commissions and specialized agencies and inter-agency meetings, shall cooperate with the Special Rapporteur in the implementation and monitoring of the Rules at the national level.

8. The Special Rapporteur, assisted by the Secretariat, shall prepare reports for submission to the Commission for Social Development at its thirty-fourth and thirty-fifth sessions. In preparing such reports, the Rapporteur should consult with the panel of experts.

9. States should encourage national coordinating committees or similar bodies to participate in implementation and monitoring. As the focal points on disability matters at the national level, they should be encouraged to establish procedures to coordinate the monitoring of the Rules. Organizations of persons with disabilities should be encouraged to be actively involved in the monitoring of the process at all levels.

10. Should extrabudgetary resources be identified, one or more positions of interregional adviser on the Rules should be created to provide direct services to States, including:

(a) The organization of national and regional training seminars on the content of the Rules;

(b) The development of guidelines to assist in strategies for implementation of the Rules;

(c) Dissemination of information about best practices concerning implementation of the Rules.

11. At its thirty-fourth session, the Commission for Social Development should establish an open-ended working group to examine the Special Rapporteur's report and make recommendations on how to improve the application of the Rules. In examining the Special Rapporteur's report, the Commission, through its open-ended working group, shall consult international organizations of persons with disabilities and specialized agencies, in accordance with rules 71 and 76 of the rules of procedure of the functional commissions of the Economic and Social Council.

12. At its session following the end of the Special Rapporteur's mandate, the Commission should examine the possibility of either renewing that mandate, appointing a new Special Rapporteur or considering another monitoring mechanism, and should make appropriate recommendations to the Economic and Social Council.

13. States should be encouraged to contribute to the United Nations Voluntary Fund on Disability in order to further the implementation of the Rules.

UNITED NATIONS **A**

General Assembly

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A/RES/48/97
11 March 1994

Forty-eighth session
Agenda item 109

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/48/627)]

48/97. International Day of Disabled Persons

The General Assembly,

Recalling all its relevant resolutions, including resolutions 37/52 of 3 December 1982, by which it adopted the World Programme of Action concerning Disabled Persons, 1/ and 37/53 of 3 December 1982, in which, inter alia, it proclaimed the period 1983-1992 the United Nations Decade of Disabled Persons as a long-term plan of action,

Recalling also its request to the Secretary-General, made in its resolution 45/91 of 14 December 1990, to shift the focus of the United Nations programme on disabled persons from awareness-raising to action, with the aim of achieving a society for all by the year 2010,

Recalling further its resolution 47/3 of 14 October 1992 proclaiming 3 December as the International Day of Disabled Persons,

Noting that, despite an appreciable increase in activities designed to enhance public awareness of the needs and circumstances of people with disabilities and of related issues, there continues to be a need for sustained efforts to overcome physical and social barriers to the full equality and participation of disabled persons,

Aware of the need for more vigorous and broader action and measures at all levels to fulfil the objectives of the Decade and the World Programme of Action,

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1/ A/37/351/Add.1 and Corr.1, annex, sect. VIII, recommendation 1 (IV).

/...

Bearing in mind that the purpose of the World Programme of Action is to promote effective measures for the prevention of disability, for rehabilitation and the realization of the goals of full participation of disabled persons in social life and development and of equality, which means opportunities equal to those of the entire population and an equal share in the improvement in living conditions resulting from social and economic development,

1. Takes note with satisfaction of the number of Member States that celebrated the first International Day of Disabled Persons on 3 December 1992;

2. Appeals to all Governments to observe the International Day of Disabled Persons, using this opportunity to take the lead in awakening the consciousness of populations regarding the gains to be derived by individuals and society from the integration of disabled persons into every area of social, economic and political life;

3. Reiterates the need to involve disabled persons and their organizations in decisions on all matters of concern to them, including the celebration of the International Day of Disabled Persons;

4. Invites Member States to consider a way of linking, each year, the observance of the International Day of Disabled Persons with important United Nations events such as the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, the International Year of the Family, to be observed in 1994, the International Conference on Population and Development, to be held at Cairo from 5 to 13 September 1994, the World Summit for Social Development, to be held at Copenhagen on 11 and 12 March 1995, and the Fourth World Conference on Women: Action for Equality, Development and Peace, to be held at Beijing from 4 to 15 September 1995;

5. Requests the Secretary-General to report to the Commission for Social Development at its thirty-fourth session on measures taken by Member States to observe the International Day of Disabled Persons.

85th plenary meeting
20 December 1993

UNITED NATIONS

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/48/627)]

48/98. Implementation of the International Plan of Action on Ageing

The General Assembly,

Mindful of the growing concern of the international community with the issues related to population and individual ageing,

Noting with satisfaction the clear conceptual framework of the United Nations programme on ageing, revealed in the United Nations Principles for Older Persons, 1/ the global targets on ageing for the year 2001 2/ and the Proclamation on Ageing, 3/ to further the implementation of the International Plan of Action on Ageing, 4/

Recalling that, in the Proclamation on Ageing, it decided to observe the year 1999 as the International Year of Older Persons,

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1/ Resolution 46/91, annex.

2/ See A/47/339, sect. III.

3/ Resolution 47/5, annex.

4/ See Report of the World Assembly on Ageing, Vienna, 26 July-6 August 1982 (United Nations publication, Sales No. E.82.I.16), chap. VI.

/...

Taking note of Economic and Social Council resolution 1993/22 of 27 July 1993, by which the Council invited Member States to strengthen their national mechanisms on ageing, inter alia, to enable them to serve as national focal points for the preparation and observance of the International Year of Older Persons,

Noting the recent measures aimed at consolidating the social and economic activities of the United Nations,

1. Takes note with appreciation of the report of the Secretary-General 5/ on the third review and appraisal of the implementation of the International Plan of Action on Ageing;

2. Endorses the recommendations contained in the report of the Secretary-General, in the form of global and national targets on ageing for the year 2001, 6/ aimed at streamlining the implementation of the Plan of Action in its second decade;

3. Calls upon the Secretary-General to maintain the integrity and the identity of the United Nations programme on ageing;

4. Commends the International Institute on Ageing on its training programme and related activities, and invites national, regional and international organizations to cooperate closely with the Institute;

5. Urges the United Nations, Member States and non-governmental organizations to support the African Society of Gerontology in developing and implementing a regional programme of activities on ageing;

6. Invites interested Member States, non-governmental organizations and research centres to support the activities of the United Nations programme on ageing, particularly research activities aimed at suggesting policy options to enhance contributions by the elderly to development;

7. Invites Governments, non-governmental organizations and United Nations organizations and bodies concerned with ageing to submit to the Secretary-General their proposals for the preparations for and observance of the International Year of Older Persons;

8. Calls upon the Secretary-General to draft a conceptual framework of a programme for the preparation and observance of the International Year of Older Persons and to submit it, through the Commission for Social Development at its thirty-fourth session in 1995, to the General Assembly for consideration at its fiftieth session in 1995.

85th plenary meeting
20 December 1993

5/ E/CN.5/1993/7.

6/ Ibid., sect. VI.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/48/627)]

48/99. Towards full integration of persons with disabilities into society: a continuing world programme of action

The General Assembly,

Recalling all its relevant resolutions, including resolutions 37/52 and 37/53 of 3 December 1982, 46/96 of 16 December 1991 and 47/88 of 16 December 1992, and recalling also Economic and Social Council decision 1992/276 of 30 July 1992 and Commission on Human Rights resolution 1992/48 of 3 March 1992, 1/

Noting the importance of developing and carrying out concrete long-term strategies for the full implementation of the World Programme of Action concerning Disabled Persons 2/ beyond the United Nations Decade of Disabled Persons, with the aim of achieving a society for all by the year 2010,

Welcoming the unreserved reaffirmation in the Vienna Declaration and Programme of Action 3/ of the human rights and fundamental freedoms of persons with disabilities,

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1/ See Official Records of the Economic and Social Council, 1992, Supplement No. 2 (E/1992/22), chap. II, sect. A.

2/ A/37/351/Add.1 and Corr.1, annex, sect. VIII, recommendation 1 (IV).

3/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

/...

Reaffirming that the efforts of both the developing and the developed countries are indispensable in mobilizing the world's attention and resources to address the problems of persons with disabilities,

Aware of the major obstacles to the implementation of the World Programme of Action concerning Disabled Persons, foremost among them an inadequate allocation of resources,

1. Reaffirms the continuing validity and value of the World Programme of Action concerning Disabled Persons, which provides a firm and innovative framework for disability-related issues;

2. Reiterates the responsibility of Governments for removing or facilitating the removal of barriers and obstacles to the full integration of persons with disabilities into society, and supports their efforts in developing national policies to reach specific objectives;

3. Requests the Secretary-General to continue to give higher priority and visibility to disability issues within the programme of work of the United Nations system by:

(a) Integrating disability issues into the policies, programmes and projects of the specialized agencies on a broader scale and with higher priority, and asking all the specialized agencies to report on their engagement in the disability field;

(b) Asking the United Nations Development Programme to review how a disability component can be incorporated into all its reconstruction programmes on a continuing basis;

(c) Urging the finalization of the ongoing work on the creation of a disability index based on the Standard Rules on the Equalization of Opportunities for Persons with Disabilities; 4/

(d) Encouraging the activities of the United Nations Children's Fund in promoting prevention and early detection, public awareness and community-based rehabilitation in respect of childhood disabilities;

(e) Publishing a manual on the integration of disability issues into national planning and development projects;

(f) Continuing the work of collecting statistical data about disability matters and finalizing the development of a global disability indicator;

(g) Pursuing his efforts to establish a panel of persons with wide experience in the field of disability, including persons with disabilities, and with due regard to equitable geographical representation, to advise him on disability matters;

4/ See resolution 48/96, annex.

(h) Urging Governments to integrate, where possible, disability components into technical assistance and technical cooperation programmes, including the exchange of experience in the disability field under the auspices of the competent specialized agencies;

4. Encourages the consideration during major forthcoming events, including the International Conference on Population and Development, to be held in 1994, the International Year of the Family, to be observed in 1994, the Fourth World Conference on Women: Action for Equality, Development and Peace, to be held in 1995, and the World Summit for Social Development, to be held in 1995, of disability issues relevant to their themes;

5. Recommends that the regional commissions and other competent regional organizations be fully utilized to explore the best ways and means to improve the specific situation of persons with disabilities in each region;

6. Invites Member States and the private sector, including competent non-governmental organizations, to contribute to the United Nations Voluntary Fund on Disability;

7. Invites Member States and other donors to pay close attention to the increasing number of persons with disabilities as a consequence of poverty and disease, wars and civil strife and demographic and environmental factors, including natural disasters and catastrophic accidents;

8. Commends the launching of the Asian and Pacific Decade of Disabled Persons, 1993-2002, and the adoption of the Proclamation on the Full Participation and Equality of People with Disabilities in the Asian and Pacific Region 5/ by the intergovernmental meeting to launch the Decade, convened by the Economic and Social Commission for Asia and the Pacific at Beijing from 1 to 5 December 1992;

9. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on relevant developments concerning the present resolution, in the context of his report on the development of a plan of action to implement the long-term strategy to further the implementation of the World Programme of Action concerning Disabled Persons.

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5/ See E/ESCAP/902, annex I.

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/48/100
11 March 1994

Forty-eighth session
Agenda item 109

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/48/627)]

48/100. World Summit for Social Development

The General Assembly,

Recalling its resolution 47/92 of 16 December 1992, by which it decided to convene the World Summit for Social Development, agreed on the objectives and core issues of the Summit and, inter alia, established a preparatory committee,

Recalling also the deliberations of the Economic and Social Council during the high-level segment of its substantive session of 1993 on the question of the Summit and the deliberations of the Commission for Social Development at its thirty-third session, 1/

Recalling further the decision taken by the Preparatory Committee for the World Summit for Social Development at its organizational session to convene the Summit at Copenhagen on 11 and 12 March 1995, preceded by a meeting of personal representatives of heads of State or Government or other appropriate high-level representatives specifically designated by Governments, from 6 to 10 March 1995, 2/

Considering that the Summit and its preparatory process should strengthen efforts by all countries to promote policies for the enhancement of

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1/ See Official Records of the Economic and Social Council, 1993, Supplement No. 4 (E/1993/24), chap. II.

2/ See Official Records of the General Assembly, Forty-eighth Session, Supplement No. 24 (A/48/24), annex II, decision 9.

/...

social integration in all societies, the alleviation and reduction of poverty and the expansion of productive employment,

Considering also the contributions of non-governmental organizations,

Taking into account the need to facilitate the work of the substantive sessions of the Preparatory Committee,

1. Takes note with appreciation of the summary prepared by the President of the Economic and Social Council on the deliberations of the Council during the high-level segment of its substantive session of 1993 3/ and of Commission for Social Development resolution 33/1 of 17 February 1993; 4/

2. Also takes note with appreciation of the report of the Preparatory Committee for the World Summit for Social Development on its organizational session; 5/

3. Calls upon all States, in accordance with paragraph 8 of General Assembly resolution 47/92, to appoint personal representatives of the heads of State or Government or other appropriate high-level representatives to participate in the first session of the Preparatory Committee;

4. Invites all States to contribute generously to the voluntary Trust Fund established in accordance with General Assembly resolution 47/92 for the additional activities required for the preparation and holding of the Summit, particularly the participation of the least developed countries in the Summit and its preparatory process;

5. Also invites all States to set up national committees or other arrangements for the Summit and to hold meetings for public debate on the core issues to be addressed by the Summit;

6. Requests the Secretary-General to make the necessary provisions, within existing resources, so that the Preparatory Committee may, if it so decides:

(a) Establish, during its first session, a working group of the whole to meet in parallel with the plenary for a duration of one week;

(b) Establish, during its second session, a working group of the whole to meet in parallel with the plenary for a duration of two weeks;

(c) Establish, during its third session, two working groups to meet in parallel with the plenary for a duration of two weeks;

3/ A/48/3, chap. II, sect. B.

4/ Official Records of the Economic and Social Council, 1993, Supplement No. 4 (E/1993/24), chap. I.D.

5/ Official Records of the General Assembly, Forty-eighth Session, Supplement No. 24 (A/48/24).

7. Calls upon the Secretary-General to report to the Preparatory Committee at its first session on the implementation of the programme of public information for the Summit;

8. Invites the organs, organizations and programmes of the United Nations system and other intergovernmental organizations, in particular the United Nations Children's Fund, the United Nations Development Programme, the United Nations Population Fund, the regional commissions and competent regional organizations, the United Nations Centre for Human Settlements (Habitat), the International Labour Organisation, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the World Bank and the International Monetary Fund to inform the Preparatory Committee at its first session about their contributions to the Summit and its preparatory process;

9. Calls upon the non-governmental organizations in consultative status with the United Nations and those accredited to the Summit and its preparatory process to contribute fully to the work of the Preparatory Committee and to the Summit;

10. Requests the Preparatory Committee to report to the General Assembly at its forty-ninth session on the progress of work of the Committee and the preparations for the Summit.

85th plenary meeting
20 December 1993

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/48/101
8 March 1994

Forty-eighth session
Agenda item 110

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/48/628)]

48/101. United Nations African Institute for the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Recalling its resolution 47/89 of 16 December 1992 and taking note of Economic and Social Council resolution 1993/33 of 27 July 1993,

Recalling also its resolution 46/152 of 18 December 1991, in the annex to which it is stated that the contributions of the regional institutes for the prevention of crime and the treatment of offenders to policy development and implementation, and their resource requirements, especially those of the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders, should be fully integrated into the United Nations crime prevention and criminal justice programme,

Aware of the financial difficulties that the Institute continues to face as a result of the fact that many States of the African region are in the category of least developed countries and therefore lack the necessary resources with which to support the Institute,

Conscious of the efforts made thus far by the Institute in fulfilling its mandate through, inter alia, the organization of training programmes and regional seminars, as well as the provision of advisory services,

Having considered the report of the Secretary-General, 1/

1/ A/48/332.

1. Expresses its appreciation to those Governments and intergovernmental bodies that have supported the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders in the discharge of its responsibilities;

2. Calls upon Governments and intergovernmental and non-governmental organizations to provide financial and technical support to the Institute to enable it to fulfil its objectives, particularly those concerning training, technical assistance, policy guidance, research and data collection;

3. Requests the Secretary-General to ensure that sufficient resources are provided to the Institute, within the overall appropriation of the programme budget, to enable it to carry out, in full and on time, all its obligations;

4. Requests the United Nations Development Programme to continue providing programme support to the Institute;

5. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of the present resolution.

85th plenary meeting
20 December 1993

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/48/102
8 March 1994

Forty-eighth session
Agenda item 110

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/48/628)]

48/102. Prevention of the smuggling of aliens

The General Assembly,

Concerned that the activities of criminal organizations that profit illicitly by smuggling human beings and preying on the dignity and lives of migrants contribute to the complexity of the phenomenon of increasing international migration,

Recognizing that international criminal groups often convince individuals to migrate illegally by various means for enormous profits and use the proceeds from smuggling human beings to finance other criminal activities, thus bringing great harm to the States concerned,

Aware that such activities endanger the lives of those individuals and impose severe costs on the international community, particularly upon certain States that have been called upon to rescue and to provide medical care, food, housing and transportation for those individuals,

Recognizing that socio-economic factors influence the problem of the smuggling of aliens and also contribute to the complexity of current international migration,

Noting that smugglers, particularly in the State of destination of the smuggling of aliens, often force migrants into forms of debt, bondage or servitude, often involving criminal activities, in order to pay for their passage,

Convinced of the need to provide humane treatment and protect the full human rights of migrants,

Recognizing that this illegal smuggling activity has high social and economic costs, contributes to corruption and burdens law enforcement agencies in all States where illegal aliens transit or are found,

Recalling relevant international agreements and conventions, including the International Convention for the Safety of Life at Sea, 1960, 1/ the International Convention for the Safety of Life at Sea, 1974, 2/ and the Protocol relating thereto of 1978, 3/ by which specific safety standards are established for certain passenger ships, each State party is required to take the necessary steps to ensure that no vessel covered by the Conventions and flying its flag is permitted to carry passengers on international voyages unless it meets the standards established by the Conventions, and each port State party is required to prevent a foreign flag passenger vessel from sailing from its port when the condition of the ship or of its equipment is not in compliance with the Conventions,

Recalling also the undertaking of States parties to the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, doneat Geneva on 7 September 1956, 4/ to take all practicable and necessary legislative and other measures to bring about progressively and as soon as possible the complete abolition or abandonment of the practice of debt bondage,

Reaffirming that the sovereignty and territorial integrity of all States must be respected, including their right to control their own borders,

Concerned that the smuggling of aliens undermines public confidence in policies and procedures for immigration and for the protection of refugees,

Noting that the smuggling of aliens can involve criminal elements in many States, including the State or States where the smuggling scheme was planned, the State of nationality of the aliens, the State where the means of transport was prepared, the flag State of any vessels or aircraft that transport the aliens, States through which the aliens transit to their destination or in order to be repatriated and the State of destination,

Taking into account the efforts of the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration, the International Civil Aviation Organization and the International Maritime Organization in responding to requests from States for assistance in dealing with the smuggling of aliens,

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1/ United Nations, Treaty Series, vol. 536, No. 7794.

2/ Ibid., vols. 1184 and 1185, No. 18961.

3/ Ibid., vol. 1226, No. 18961. Protocol relating to the International Convention of 1 November 1974 for the Safety of Life at Sea (with annex, appendix and Final Act of the International Conference on Tanker Safety and Pollution Prevention, 1978). Concluded at London on 17 February 1978.

4/ Ibid., vol. 266, No. 3822.

Emphasizing the need for States to cooperate urgently at the bilateral and multilateral levels, as appropriate, to thwart these activities,

1. Condemns the practice of smuggling aliens in violation of international and national law and without regard for the safety, well-being and human rights of the migrants;

2. Commends those States that have cooperated to combat the smuggling of aliens and to address specific incidents where smuggled aliens have needed to be processed in accordance with international standards and the domestic laws and procedures of the State concerned and returned safely to appropriate destinations;

3. Urges States to take appropriate steps to frustrate the objectives and activities of smugglers of aliens and thus to protect would-be migrants from exploitation and loss of life, inter alia, by amending criminal laws, if necessary, to encompass the smuggling of aliens and by establishing or improving procedures to permit the ready discovery of false travel documents supplied by smugglers;

4. Requests that States cooperate in order to prevent the illegal transport by smugglers of third country nationals through their territory;

5. Also requests States that have not done so to make special efforts to prevent their airports, means of ground transportation and air carriers from being used by smugglers of aliens;

6. Requests States to cooperate in the interest of safety of life at sea, to increase their efforts to prevent thesmuggling of aliens on ships and to ensure that prompt and effective action is taken against the smuggling of aliens by ship;

7. Calls upon Member States and relevant specialized agencies and international organizations to take into account socio-economic factors and to cooperate at the bilateral and multilateral levels in addressing all aspects of the problem of the smuggling of aliens;

8. Reaffirms the importance of existing international conventions in preventing the economic exploitation and loss of life that can result from smuggling aliens, and calls upon all States to exchange information and to consider ratifying or acceding to them where they have not done so and to implement fully and enforce such conventions;

9. Emphasizes that international efforts to prevent the smuggling of aliens should not inhibit legal migration or freedom of travel or undercut the protection provided by international law to refugees;

10. Reaffirms the need to observe fully international and national law in dealing with the smuggling of aliens, including the provision of humane treatment and strict observance of all the human rights of migrants;

11. Requests the relevant specialized agencies and intergovernmental organizations, in particular the International Organization for Migration, the International Maritime Organization, the International Criminal Police Organization and the International Civil Aviation Organization, to consider ways and means, within their respective spheres of competence, to enhance international cooperation to combat thesmuggling of aliens;

12. Requests the Commission on Crime Prevention and Criminal Justice to consider giving special attention to the question of thesmuggling of aliens at its third session, to be held in 1994, in order to encourage international cooperation to address this problem within the framework of its mandate;

13. Requests the Secretary-General to transmit the text of the present resolution to all Member States and to relevant specialized agencies and intergovernmental organizations;

14. Invites Member States and relevant specialized agencies and intergovernmental organizations to report to the Secretary-General on the measures they have taken to combat the smuggling of aliens;

15. Requests the Secretary-General to report to the General Assembly on the measures taken by States, specialized agencies and intergovernmental organizations to combat the smuggling of aliens, and decides to consider this question at its forty-ninth session under the item entitled "Crime prevention and criminal justice".

85th plenary meeting
20 December 1993

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/48/103
8 March 1994

Forty-eighth session
Agenda item 110

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/48/628)]

48/103. Crime prevention and criminal justice

The General Assembly,

Alarmed by high costs of crime, particularly in its new and transnational forms, and the danger posed to the individual as such and societies and to the welfare of all nations by the rising incidence of crime,

Reaffirming the responsibility assumed by the United Nations in crime prevention and criminal justice,

Emphasizing the need for strengthened regional and international cooperation to combat crime in all its forms and to improve the effectiveness and efficiency of criminal justice systems,

Bearing in mind the goals of the United Nations in the field of crime prevention and criminal justice, specifically the reduction of criminality, more efficient and effective law enforcement and administration of justice, respect for human rights and promotion of the highest standards of fairness, humanity and professional conduct,

Recognizing that many States suffer from an extreme shortage of human and financial resources, which impedes them from responding adequately to problems related to crime,

Recalling its relevant resolutions as well as the decisions of the Economic and Social Council, in which a high level of priority was accorded to the activities of the United Nations crime prevention and criminal justice programme and an appropriate share of the overall resources of the United Nations requested for the programme,

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Recalling also its resolution 47/91 of 16 December 1992, in which it requested the Secretary-General to strengthen the crime prevention and criminal justice programme and to upgrade, as a matter of urgency, the Crime Prevention and Criminal Justice Branch of the Secretariat to a Division,

Taking note of Economic and Social Council resolution 1993/34 of 27 July 1993, in which the Council requested the Secretary-General to strengthen the institutional capacity of the programme to enable it to plan, execute and evaluate operational activities and advisory services in its area of competence, upon request from Member States,

Convinced that the Crime Prevention and Criminal Justice Branch can only be effective if it is provided with resources commensurate to its requirements and adequate to allow it to implement its mandates and to respond in a timely and efficient manner to the increasing requests of Member States for its services,

Concerned about the delay in the implementation of General Assembly resolutions 46/152 of 18 December 1991 and 47/91 of 16 December 1992 and Economic and Social Council resolutions 1992/22 of 30 July 1992 and 1993/31 and 1993/34 of 27 July 1993, with respect to the strengthening of the United Nations crime prevention and criminal justice programme and the upgrading of the Crime Prevention and Criminal Justice Branch to a Division,

1. Welcomes with appreciation Economic and Social Council resolutions 1993/27, 1993/28, 1993/29, 1993/30, 1993/31, 1993/32, 1993/33 and 1993/34 of 27 July 1993;

2. Reaffirms the importance of the United Nations crime prevention and criminal justice programme and the crucial role it has to play in promoting international cooperation in crime prevention and criminal justice, in responding to the needs of the international community in the face of both national and transnational criminality, and in assisting Member States to achieve the goals of preventing crime within and among States and improving the response to crime;

3. Also reaffirms the priority attached to the United Nations crime prevention and criminal justice programme, in accordance with General Assembly resolutions 46/152 and 47/91, and the need for an appropriate share of the existing resources of the United Nations for the programme;

4. Requests the Secretary-General, as a matter of urgency, to give effect to General Assembly resolutions 46/152 and 47/91 and to Economic and Social Council resolutions 1992/22, 1993/31 and 1993/34 by providing the United Nations crime prevention and criminal justice programme with sufficient resources for the full implementation of its mandates, in conformity with the high priority attached to the programme;

5. Reiterates its request to the Secretary-General to upgrade the Crime Prevention and Criminal Justice Branch to a Division, as recommended in and in accordance with General Assembly resolution 47/91;

6. Requests the Secretary-General to provide from existing resources adequate funds to build and maintain the institutional capacity of the United Nations crime prevention and criminal justice programme to respond to requests of Member States for assistance in the field of crime prevention and criminal justice, if necessary through the reallocation of resources;

7. Also requests the Secretary-General to take all necessary measures to assist the Commission on Crime Prevention and Criminal Justice, as the principal policy-making body in the field of crime prevention and criminal justice, to perform its functions and to ensure the proper coordination of all relevant activities in the field, in particular with the Commission on Human Rights and the Commission on Narcotic Drugs;

8. Invites the Committee for Programme and Coordination and the Advisory Committee on Administrative and Budgetary Questions to ensure proper follow-up to the proposals of the Secretary-General in the implementation of the present resolution;

9. Requests the Secretary-General to undertake all steps necessary to ensure the appropriate organization of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in accordance with Economic and Social Council resolution 1993/32;

10. Expresses its support for the World Ministerial Conference on Organized Transnational Crime, to be held in Italy in the last quarter of 1994, and calls upon Member States to be represented at the Conference at the highest possible level;

11. Requests the Secretary-General to take all necessary measures, within existing resources, to ensure the appropriate organization of the Conference and to submit its conclusions and recommendations to the General Assembly at its forty-ninth session;

12. Welcomes the initiative to hold in Italy in June 1994, under the auspices of the Crime Prevention and Criminal Justice Branch, the International Conference on "Laundering and Controlling Proceeds of Crime: a Global Approach", to be organized by the Government of Italy and the International Scientific and Professional Advisory Council;

13. Invites the relevant funding agencies of the United Nations to consider including crime prevention and criminal justice activities in their funding programmes, from within their existing resources, taking into account the increasing needs of Member States in the field, and to cooperate closely with the United Nations crime prevention and criminal justice programme in planning and implementing those activities;

14. Invites Governments to lend their full support to the United Nations crime prevention and criminal justice programme and to increase financial contributions to the Crime Prevention and Criminal Justice Fund;

15. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of the present resolution and of resolutions 46/152 and 47/91.

85th plenary meeting
20 December 1993

UNITED NATIONS

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General Assembly

Distr.
GENERAL

A/RES/48/104
23 February 1994

Forty-eighth session
Agenda item 111

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/48/629)]

48/104. Declaration on the Elimination of Violence against Women

The General Assembly,

Recognizing the urgent need for the universal application to women of the rights and principles with regard to equality, security, liberty, integrity and dignity of all human beings,

Noting that those rights and principles are enshrined in international instruments, including the Universal Declaration of Human Rights, 1/ the International Covenant on Civil and Political Rights, 2/ the International Covenant on Economic, Social and Cultural Rights, 2/ the Convention on the Elimination of All Forms of Discrimination against Women 3/ and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 4/

Recognizing that effective implementation of the Convention on the Elimination of All Forms of Discrimination against Women would contribute to the elimination of violence against women and that the Declaration on the Elimination of Violence against Women, set forth in the present resolution, will strengthen and complement that process,

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1/ Resolution 217 A (III).

2/ See resolution 2200 A (XXI), annex.

3/ Resolution 34/180, annex.

4/ Resolution 39/46, annex.

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Concerned that violence against women is an obstacle to the achievement of equality, development and peace, as recognized in the Nairobi Forward-looking Strategies for the Advancement of Women, 5/ in which a set of measures to combat violence against women was recommended, and to the full implementation of the Convention on the Elimination of All Forms of Discrimination against Women,

Affirming that violence against women constitutes a violation of the rights and fundamental freedoms of women and impairs or nullifies their enjoyment of those rights and freedoms, and concerned about the long-standing failure to protect and promote those rights and freedoms in the case of violence against women,

Recognizing that violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women, and that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men,

Concerned that some groups of women, such as women belonging to minority groups, indigenous women, refugee women, migrant women, women living in rural or remote communities, destitute women, women in institutions or in detention, female children, women with disabilities, elderly women and women in situations of armed conflict, are especially vulnerable to violence,

Recalling the conclusion in paragraph 23 of the annex to Economic and Social Council resolution 1990/15 of 24 May 1990 that the recognition that violence against women in the family and society was pervasive and cut across lines of income, class and culture had to be matched by urgent and effective steps to eliminate its incidence,

Recalling also Economic and Social Council resolution 1991/18 of 30 May 1991, in which the Council recommended the development of a framework for an international instrument that would address explicitly the issue of violence against women,

Welcoming the role that women's movements are playing in drawing increasing attention to the nature, severity and magnitude of the problem of violence against women,

Alarmed that opportunities for women to achieve legal, social, political and economic equality in society are limited, inter alia, by continuing and endemic violence,

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5/ Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985 (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

Convinced that in the light of the above there is a need for a clear and comprehensive definition of violence against women, a clear statement of the rights to be applied to ensure the elimination of violence against women in all its forms, a commitment by States in respect of their responsibilities, and a commitment by the international community at large to the elimination of violence against women,

Solemnly proclaims the following Declaration on the Elimination of Violence against Women and urges that every effort be made so that it becomes generally known and respected:

Article 1

For the purposes of this Declaration, the term "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

Article 2

Violence against women shall be understood to encompass, but not be limited to, the following:

(a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;

(b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;

(c) Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

Article 3

Women are entitled to the equal enjoyment and protection of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. These rights include, inter alia:

(a) The right to life; 6/

(b) The right to equality; 7/

6/ Universal Declaration of Human Rights, article 3; and International Covenant on Civil and Political Rights, article 6.

7/ International Covenant on Civil and Political Rights, article 26.

(c) The right to liberty and security of person; 8/

(d) The right to equal protection under the law; 7/

(e) The right to be free from all forms of discrimination; 7/

(f) The right to the highest standard attainable of physical and mental health; 9/

(g) The right to just and favourable conditions of work; 10/

(h) The right not to be subjected to torture, or other cruel, inhuman or degrading treatment or punishment. 11/

Article 4

States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination. States should pursue by all appropriate means and without delay a policy of eliminating violence against women and, to this end, should:

(a) Consider, where they have not yet done so, ratifying or acceding to the Convention on the Elimination of All Forms of Discrimination against Women or withdrawing reservations to that Convention;

(b) Refrain from engaging in violence against women;

(c) Exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons;

8/ Universal Declaration of Human Rights, article 3; and International Covenant on Civil and Political Rights, article 9.

9/ International Covenant on Economic, Social and Cultural Rights, article 12.

10/ Universal Declaration of Human Rights, article 23; and International Covenant on Economic, Social and Cultural Rights, articles 6 and 7.

11/ Universal Declaration of Human Rights, article 5; International Covenant on Civil and Political Rights, article 7; and Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

(d) Develop penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs caused to women who are subjected to violence; women who are subjected to violence should be provided with access to the mechanisms of justice and, as provided for by national legislation, to just and effective remedies for the harm that they have suffered; States should also inform women of their rights in seeking redress through such mechanisms;

(e) Consider the possibility of developing national plans of action to promote the protection of women against any form of violence, or to include provisions for that purpose in plans already existing, taking into account, as appropriate, such cooperation as can be provided by non-governmental organizations, particularly those concerned with the issue of violence against women;

(f) Develop, in a comprehensive way, preventive approaches and all those measures of a legal, political, administrative and cultural nature that promote the protection of women against any form of violence, and ensure that the re-victimization of women does not occur because of laws insensitive to gender considerations, enforcement practices or other interventions;

(g) Work to ensure, to the maximum extent feasible in the light of their available resources and, where needed, within the framework of international cooperation, that women subjected to violence and, where appropriate, their children have specialized assistance, such as rehabilitation, assistance in child care and maintenance, treatment, counselling, and health and social services, facilities and programmes, as well as support structures, and should take all other appropriate measures to promote their safety and physical and psychological rehabilitation;

(h) Include in government budgets adequate resources for their activities related to the elimination of violence against women;

(i) Take measures to ensure that law enforcement officers and public officials responsible for implementing policies to prevent, investigate and punish violence against women receive training to sensitize them to the needs of women;

(j) Adopt all appropriate measures, especially in the field of education, to modify the social and cultural patterns of conduct of men and women and to eliminate prejudices, customary practices and all other practices based on the idea of the inferiority or superiority of either of the sexes and on stereotyped roles for men and women;

(k) Promote research, collect data and compile statistics, especially concerning domestic violence, relating to the prevalence of different forms of violence against women and encourage research on the causes, nature, seriousness and consequences of violence against women and on the effectiveness of measures implemented to prevent and redress violence against women; those statistics and findings of the research will be made public;

(l) Adopt measures directed towards the elimination of violence against women who are especially vulnerable to violence;

(m) Include, in submitting reports as required under relevant human rights instruments of the United Nations, information pertaining to violence against women and measures taken to implement the present Declaration;

(n) Encourage the development of appropriate guidelines to assist in the implementation of the principles set forth in the present Declaration;

(o) Recognize the important role of the women's movement and non-governmental organizations world wide in raising awareness and alleviating the problem of violence against women;

(p) Facilitate and enhance the work of the women's movement and non-governmental organizations and cooperate with them at local, national and regional levels;

(q) Encourage intergovernmental regional organizations of which they are members to include the elimination of violence against women in their programmes, as appropriate.

Article 5

The organs and specialized agencies of the United Nations system should, within their respective fields of competence, contribute to the recognition and realization of the rights and the principles set forth in the present Declaration and, to this end, should, inter alia:

(a) Foster international and regional cooperation with a view to defining regional strategies for combating violence, exchanging experiences and financing programmes relating to the elimination of violence against women;

(b) Promote meetings and seminars with the aim of creating and raising awareness among all persons of the issue of the elimination of violence against women;

(c) Foster coordination and exchange within the United Nations system between human rights treaty bodies to address the issue of violence against women effectively;

(d) Include in analyses prepared by organizations and bodies of the United Nations system of social trends and problems, such as the periodic reports on the world social situation, examination of trends in violence against women;

(e) Encourage coordination between organizations and bodies of the United Nations system to incorporate the issue of violence against women into ongoing programmes, especially with reference to groups of women particularly vulnerable to violence;

(f) Promote the formulation of guidelines or manuals relating to violence against women, taking into account the measures referred to in the present Declaration;

(g) Consider the issue of the elimination of violence against women, as appropriate, in fulfilling their mandates with respect to the implementation of human rights instruments;

(h) Cooperate with non-governmental organizations in addressing the issue of violence against women.

Article 6

Nothing in the present Declaration shall affect any provision that is more conducive to the elimination of violence against women that may be contained in the legislation of a State or in any international convention, treaty or other instrument in force in a State.

85th plenary meeting
20 December 1993

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/48/629)]

48/105. International Research and Training Institute for the Advancement of Women

The General Assembly,

Recalling its resolution 46/99 of 16 December 1991 and taking note of Economic and Social Council resolution 1993/17 of 27 July 1993,

Taking note of the report of the International Research and Training Institute for the Advancement of Women on its activities, 1/

Stressing the need for independent research to ensure that policy-making and project implementation address issues and emerging areas of concern to women, and the role of the Institute therein,

Reaffirming the unique and specific role of the Institute in the areas of research and training that can facilitate the systematic inclusion of women as partners in development programmes and projects,

Recognizing the important role that the Institute could play in the substantive preparations for the Fourth World Conference on Women: Action for Equality, Development and Peace, to be held in 1995,

Convinced that sustainable development cannot be achieved without the full participation of women,

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1/ A/48/301, annex.

1. Expresses its satisfaction with the report of the International Research and Training Institute for the Advancement of Women on its activities; 1/

2. Commends the Institute for its efforts to focus on problems that constitute barriers to improving the status of women and thus impede overall development and progress;

3. Urges the Institute to continue to strengthen its activities in the areas of research, training and information aimed at mainstreaming gender in development strategies and giving women greater visibility by valuating their contribution to social and economic development as important means of empowering women and improving their status;

4. Requests the Institute to assist with the substantive preparations for the Fourth World Conference on Women: Action for Equality, Development and Peace, given its key role in the areas of research and training and its expertise in gender statistics;

5. Emphasizes the unique function of the Institute as the only entity within the United Nations system devoted exclusively to research and training for the integration of women in development, and stresses the importance of making its research findings available for policy purposes and for operational activities;

6. Expresses its appreciation for the continuing efforts of the Institute to strengthen its programmatic linkages with other United Nations organizations, including the regional commissions, governmental and non-governmental organizations, research institutes and other organizations and groups, thereby broadening the scope of its operations, making optimum use of its limited financial resources and attaining a greater outreach and impact of its work;

7. Expresses its appreciation also to those Governments and organizations which have contributed to or supported the activities of the Institute;

8. Invites States and intergovernmental and non-governmental organizations to contribute to the United Nations Trust Fund for the International Research and Training Institute for the Advancement of Women so that the Institute can fulfil its mandate and ensure the full participation and proper recognition of women in society;

9. Requests the Secretary-General to submit to the General Assembly at its fiftieth session a report on the activities of the International Research and Training Institute for the Advancement of Women, including a detailed description of its administrative and institutional status, under the item entitled "Advancement of women".

85th plenary meeting
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